



CITY OF DURHAM | NORTH CAROLINA

Date: December 12, 2012

To: Thomas J. Bonfield, City Manager
From: Karmisha R. Wallace, Senior Assistant to the City Manager
Subject: 2013 Long Session Legislative Agenda

Executive Summary

In an effort to ensure that key issues impacting the city of Durham remain at the forefront of the N.C. General Assembly; the City Administration, in collaboration with the Durham City Council, develops an Annual Legislative Agenda. The City Council Legislative Committee met on December 6, 2012 to review the proposed Legislative Agenda for the 2013 Long Session of the N.C. General Assembly. The Legislative Committee unanimously approved the proposed Agenda and it is now being presented to the full City Council for consideration.

Recommendation

Staff recommends that the City Council adopt the 2013 Long Session Legislative Agenda.

Background

Each year, the City Administration reviews various legislative issues that could impact the citizens and/or businesses of Durham. These issues are vetted among relevant City departments and stakeholders and are presented to the City Manager for further review and consideration; after which, proposals are presented to the City Council Legislative Committee. Staff met with the Committee on Thursday, December 6, 2012 and discussed the following legislative proposals:

Local Bill Requests

1. Seek authority for the Durham City-County Planning Commission to conduct public hearings on zoning map changes on property outside the Durham city limits prior to annexation action by the Durham City Council
2. Seek authority to use the Design-Build method as an option to construct (including operate and maintain) the Durham Police Facilities Construction Program and 911 Facility Program

General Bill (Statewide) Requests

1. Seek authority to negotiate an agreement with Durham Public Schools to retain an amount that may exceed the current limit of 10%
2. Increase Beer & Wine License Fee
3. Seek changes to annexation statutes so that a referendum vote is not required for involuntary annexations of donut holes or rights of way
4. Amend General Statutes to allow greater flexibility in bail bonding

Advocacy Matters

1. Support specific modifications to the Jordan Lake Rules, including those that transfer program implementation to the State or provide extended timeframes to determine nutrient credits from stormwater control measures.
2. Support modification to the Falls Lake Rules to provide extended timeframes to determine nutrient credits from stormwater control measures.

Issues/Analysis

There are no net changes in costs to the City or to property and business owners for any of the requests in the 2013 Long Session Legislative Agenda. If the "Collection of Civil Penalties" legislation is passed, the City and Durham Public Schools Board of Education would negotiate and agree for the City to retain an amount higher than 10% currently prescribed in the General Statutes. This would allow the City to not lose money associated with hiring a third party firm to collect civil penalties and fees. This would also provide additional funds to Durham Public Schools while strongly encouraging property owners to pay their civil penalties.

Alternatives

City Council could disapprove the proposed 2013 Long Session Legislative Agenda or modify it to include or eliminate specific items of concern.

Financial Impact

There are no ongoing costs associated with the approval of the 2013 Long Session Legislative Agenda.

SDBE Summary

There are no SDBE requirements for the Legislative Agenda.